

PCT/US98/26069  
Serial No. 09/581,064

1

RCA 88783

Copy

PATENT COOPERATION TREATY  
IN THE UNITED STATES RECEIVING OFFICE (RO/US)

Applicant : AHMET MURSIT ESKICIOGLU, MEHMET KEMAL OZKAN,  
BILLY WESLEY BEYERS JR.

Filed : Herewith

For : CONDITIONAL ACCESS SYSTEM FOR DIGITAL RECEIVERS

Int'l PCT No. PCT/US98/26069

Int'l Filing Date: 09 December 1998

RECEIVED

JUL 12 2001

Group 2100

PETITION UNDER 37 C.F.R. 1.47(a)

ONE INVENTOR NOT AVAILABLE

Hon. Commissioner for Patents  
Box PCT  
Washington, D.C. 20231  
Attn.: International Division, Legal Staff

RECEIVED  
07 JUN 2001  
Legal Staff  
International Division

Sir:

Applicants hereby petition the United States Patent and Trademark Office under 37 C.F.R. 1.47(a) to accept the above-identified national stage application without an executed Declaration from one of the three named Inventors.

This Petition is submitted to advise that the Agent has been unable to obtain the signature of Mr. Mehmet Kemal Ozkan (one of the Applicant's for the above-identified application) on the PCT Assignment and the PCT Declaration forms in the name of the assignee, THOMSON LICENSING S.A.

Please charge the required fee of one hundred thirty dollars (\$130.00) for the petition, under 37 C.F.R. 1.47(b), pursuant to 37 CFR 1.17(i) to Deposit Account 07-0832.

In response to the Notice of Missing Requirements Under 35 U.S.C. 371 dated 24 July, 2000, no paper number, in the subject patent application and filed herewith, for which a response is due on November 24, 2000, the following petition and exhibits are submitted in support of Applicants claim that the Inventor is not available.

Applicant submits that in view of the fact that this Petition and the response to the Notice of Missing Requirements is sent via Express Mailing, the authorization to

BEST AVAILABLE COPY

PCT/US98/26069  
Serial No. 09/581,064

RCA 88783

charge the Deposit Account for the fee for filing of this Petition and the response to the Notice of Missing Requirements is timely.

In support of this petition, the following exhibits are enclosed:

Included are copies of the "Combined Declaration for Patent Application and Power of Attorney" and copies of Assignment for this PCT International Application as executed by Applicants, Ahmet Mursit Eskicioglu and Billy Wesley Beyers Jr.. As required by 37 C.F.R. 1.47(b) the Declaration states the full name, last known residence, last known post office address and citizenship of the missing Inventor (**Exhibit B**).

Applicants have attached a Declaration (**Exhibit A**) executed by Ms. Davida Fornarotto, Paralegal Administrative Assistant, Thomson multimedia Licensing Inc. Ms. Fornarotto is entrusted with handling PCT Applications for Thomson multimedia Licensing Inc. and obtaining signatures from Inventors on all necessary documents.

As required by 37 C.F.R. 1.47(b) and MPEP section 409.03(b)(C), **Exhibit A** is submitted as proof that diligent effort was made to locate the Inventor and the Inventor could not be found. The efforts of Ms. Fornarotto to locate the inventor are stated in the Declaration and occurred as follows:

On March 4, 1999, Ms. Fornarotto had sent an electronic e-mail to the inventor, Mr. Mehmet Kemal Ozkan, to verify his home address in Turkey. On March 5, 1999, the inventor sent an electronic e-mail answering Ms. Fornarotto and confirming his address. On March 5, 1999, a letter was sent by courier to stated address, the last known address of the Inventor. The letter was sent via DHL airway bill no. 8879654851 and included a copy of the application along with a PCT Assignment to Thomson Consumer Electronics, Inc. and Power of Attorney, for signature by the Inventor for filing in the United States. A copy of DHL airway bill no. 8879654851 along with the letter to Mr. Ozkan and also copies of the electronic e-mail messages are attached as **Exhibit C**.

On March 24, 1999, Ms. Fornarotto sent an electronic e-mail once again to the Inventor requesting the signed formal papers. On March 25, 1999, the Inventor replied that he would be sending them to her very soon. On March 31, 1999, Ms. Fornarotto sent another electronic e-mail requesting the signed formal papers. The

PCT/US98/26069  
Serial No. 09/581,064

RCA 88783

last communication or correspondence Ms. Fornarotto received was an electronic e-mail message from the Inventor on April 5, 1999, stating that the inventor was sending the documents with someone travelling to the U.S. Ms. Fornarotto never received the signed formal papers. Copies of the e-mails are included as **Exhibit D**.

On November 12, 1999, Ms. Fornarotto sent copies of formal papers for several applications to Mr. Ozkan via DHL, Airwaybill No. 7786866555, and the response was that Mr. Ozkan was unknown at the address on the airwaybill no. (his last known address), see DHL letter of April 6, 2000 - **Exhibit E**.

On November 22, 1999, Ms. Fornarotto sent an e-mail to Mr. William Lagoni, Intellectual Property Administrator at the main office for Thomson Consumer Electronics, in Indianapolis. Mr. Lagoni is the liaison between the Intellectual Property Legal Office in Princeton, N.J. and the main office in Indianapolis, aiding our office in locating past and present employees. This e-mail requested a last known address for Mr. Ozkan. On November 22, 1999, Mr. Lagoni responded via e-mail including the last known address and contact information for Mr. Ozkan. Mr. Lagoni also stated that the e-mail address had worked the last time he tried it and suggested that Ms. Fornarotto e-mail Mr. Ozkan. Ms. Fornarotto sent an e-mail to Mr. Ozkan using the supplied e-mail address on November 22, 1999 requesting an updated address to which the copy of the application along with a PCT and Power of Attorney could be sent. A copy of these e-mails are attached as **Exhibit F**.

On December 1, 1999, Mr. Lagoni e-mailed Ms. Fornarotto asking if a response was received from Mr. Ozkan. Ms. Fornarotto responded that no response was received and asked what further could be done to reach Mr. Ozkan (**Exhibit G**).

On December 3, 1999, Ms. Fornarotto wrote to Mr. Lagoni a second time informing him that no response was received from Mr. Ozkan. Mr. Lagoni responded in a return e-mail dated December 4, 1999 informing Ms. Fornarotto that he also sent an e-mail to Mr. Ozkan and had not received a reply. A copy of these e-mails are attached to the petition as **Exhibit H**.

On December 7, 1999, Mr. Lagoni indicated to Ms. Fornarotto that he had sent two e-mails to Mr. Ozkan, each of which had been returned as undeliverable. Ms. Fornarotto responded by mentioning a discussion with her supervisor in which it was decided that a petition under 37 C.F.R. 1.47(a) would be filed at the appropriate time,

PCT/US98/26069  
Serial No. 09/581,064

RCA 88783


discussing the present situation. A copy of this e-mail is attached to the petition as **Exhibit I**.

On July 21, 2000, Ms. Fornarotto sent an electronic e-mail to the inventor requesting his present address and phone number. No response to this e-mail was received and, as of the date of this petition, a response has still not been received (**Exhibit J**).

In view of the above remarks and attached exhibits and Declaration, Applicants respectfully submit that diligent effort has been made to locate the Inventor and to have Mr. Ozkan execute the Declaration and Assignment forms. It is thus, respectfully submitted that this Petition be granted and the national stage of the present application be accepted without the signature of Mr. Ozkan.

Please charge the petition fee of \$130 to Deposit Account 07-0832 and if an additional fee is due, please charge to same account.

Respectfully submitted,

By:   
David T. Shoneman  
Reg. No. 39,371  
(609) 734-9875

Patent Operations  
Thomson Licensing, Inc.  
P.O. Box 5312,  
Princeton, NJ 08543-5312

November 10, 2000

09581064-100702

PCT/US98/26069  
Serial No. 09/581,064

RCA 88783

**EXHIBIT A**

PCT/US98/26069  
US Serial No. 09/581,064

1

RCA 88783

PATENT COOPERATION TREATY  
IN THE UNITED STATES RECEIVING OFFICE (RO/US)

Applicant : AHMET MURSIT ESKICIOGLU, MEHMET KEMAL OZKAN,  
BILLY WESLEY BEYERS JR.  
Filed : Herewith  
For : CONDITIONAL ACCESS SYSTEM FOR DIGITAL RECEIVERS  
Int'l PCT No. PCT/US98/26069  
Int'l Filing Date: 09 December 1998

RULE 1.131 DECLARATION OF DAVIDA FORNAROTTO

I, Davida Fornarotto, declare as follows:

1. I am currently employed by Thomson multimedia Licensing, Inc., assignee of the above-captioned United States Patent Application;
2. I am responsible for filing and maintaining a docket for all PCT applications for Thomson multimedia Licensing, Inc. These duties include obtaining signatures from inventors on Declarations, Assignments and Powers of Attorney;
3. On March 4, 1999, I sent an e-mail to Mr. Mehmet Kemal Ozkan to verify his home address in Turkey. On March 5, 1999, Mr. Ozkan answered via e-mail and confirmed his address. On March 5, 1999, a letter was sent to that address (last known address of Inventor). The letter was sent via DHL airway bill # 8879654851 and included a copy of the application along with a PCT Assignment to Thomson Consumer Electronics Inc. and Power of Attorney, for signature by the Inventor, Mr. Ozkan Kemal Ozkan, for filing in the United States.
4. On March 24, 1999, I sent an e-mail to Mr. Ozkan requesting the signed formal papers. On March 25, 1999, Mr. Ozkan replied via e-mail that he would be sending the signed papers soon. On March 31, 1999, I sent another electronic e-mail requesting the signed formal papers. The last communication or correspondence I received from Mr. Ozkan was an electronic e-mail message on April 5, 1999, stating that he was sending the documents with someone travelling to the U.S.
5. On November 22, 1999, I sent an e-mail to Mr. William Lagoni, Intellectual Property Administrator at the main office for Thomson multimedia Licensing Inc. in Indianapolis. This e-mail requested a last known address for Mr. Ozkan.

PCT/US98/26069  
US Serial No. 09/581,064

2

RCA 88783

6. On November 22, 1999, I received a reply from Mr. Lagoni including a last known address for Mr. Ozkan as well as additional contact information. Mr. Lagoni also suggested that I e-mail Mr. Ozkan in this reply.

7. Also on November 22, 1999, I sent an e-mail to Mr. Ozkan requesting an updated address to which the copy of the application along with a PCT Assignment and Power of Attorney could be sent.

8. On December 3, 1999, I wrote another e-mail to Mr. Lagoni informing him that no response was received from Mr. Ozkan.

9. I received a response from Mr. Lagoni by return e-mail informing me that he also sent an e-mail to Mr. Ozkan and had not received a reply.

10. On December 7, 1999, I received an e-mail from Mr. Lagoni stating he had sent two e-mails to Mr. Ozkan, each of which had been returned as undeliverable.

11. I responded to Mr. Lagoni indicating that, upon discussing the situation with Mr. Irwin Krittman, we had decided to file a Petition under 37 C.F.R. 1.47(a).

12. On April 6, 2000, a letter was received from DHL confirming their attempts to reach Mr. Ozkan and the difficulties encountered.

13. On July 21, 2000, I sent an e-mail to Mr. Ozkan requesting his present address and phone number. I have not received a response to that e-mail and, as of the date of this petition, I have still not received a response.

14. All statements made herein to my knowledge are true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful statements may jeopardize the validity of the Application or any patent issued thereon.

Nov. 10, 2000

Date

David F. Fornarotto

David F. Fornarotto

09581064, 100702

PCT/US98/26069  
Serial No. 09/581,064

RCA 88783

**EXHIBIT B**



FORM PTO-1595  
9-21-95

RCA 88783

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeRECORDATION FORM COVER SHEET  
PATENTS ONLY

To the Honorable Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): AHMET MURSIT ESKICIOGLU MEHMET KEMAL OZKAN BILLY WESLEY BEYERS JR. Additional name(s) of conveying party(ies) attached: Yes No X		2. Name and address of receiving party(ies): Name: THOMSON Licensing S.A. Internal Address: 46 Quai A. Le Gallo F-92648 Boulogne Cedex, France  Street Address:  City: State: Zip:  Additional name(s) & address(es) attached? Yes No X	
3. Nature of conveyance: Assignment X Merger Security Agreement Change of Name Other Execution Date: October 10, 2000 (1 missing signature)		4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No.(s) PCT/US98/26069 US 09/581,064 Additional numbers attached? Yes No X	
5. Name and address of party to whom correspondence concerning document should be mailed: Name: JOSEPH S. TRIPOLI Internal Address: PATENT OPERATIONS- THOMSON MULTIMEDIA LICENSING INC.  Street Address: PO Box 5312  City: PRINCETON State: NEW JERSEY Zip :08543-5312		6. Total number of applications and patents involved: 1  7. Total Fee (37 CFR 3.41): \$40.00 Enclosed X Authorized to be charged to deposit account 8. Deposit account number: 07-0832	

DO NOT USE THIS SPACE

9. Statement and signature.  
*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*DAVID T. SHONEMAN  
Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 2

OMB No. 0651-0011 (exp. 4/94)

DO NOT DETACH THIS PORTION

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner for Patents  
Box Assignments  
Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

## ASSIGNMENT AND AGREEMENT

I hereby declare that I am the sole inventor (if only one inventor is named below) or one of  
(if plural inventors are named below) of the inventions relating to

3 joint inventors

## CONDITIONAL ACCESS SYSTEM FOR DIGITAL RECEIVERS

and described in RCA Docket No 88783 and the thereupon-based International (Patent Cooperation Treaty) Application for patent about to be filed or  
lately filed by said corporation naming me/us as inventor(s).

For valuable consideration received, I hereby sell, assign and transfer to THOMSON LICENSING S.A., a corporation duly  
organized and existing under the laws of the country of France, its successors, and assigns my entire right, title and interest, for all countries in and to said inventions and  
application, and all the rights and privileges under any and all Patents that may be granted therefor, and any divisions, continuations, reissues and extensions thereof.

I agree that, when requested, I will, without charge to said corporation but at its expense, sign all papers, take all rightful oaths, make all rightful declarations and  
do all acts which may be necessary, desirable or convenient for securing and maintaining patents or other forms of protection for said inventions in any and all countries  
and for vesting title thereto in said corporation, its successors, assigns or nominees.

I agree that I will communicate to said corporation or its representatives any facts known to me respecting said inventions and when  
requested by said corporation and at its expense will testify in any legal proceedings, and generally do everything possible to aid said corporation,  
its successors, assigns and legal representatives or nominees, to obtain or enforce proper protection for said inventions in any and all countries.

I authorize and empower said corporation, its successors, assigns or nominees, to make application for patent or other form of protection for said inventions in its  
or their own name, or in my/our name, in any and all countries and to invoke and claim for any application for patent or other form of protection for said inventions filed by it  
or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may  
henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from me.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may  
be required in any country for any purpose and more particularly in proof of the right of the said corporation or its successors, assigns or nominees to apply for patent or  
other proper protection for said inventions, and to claim the aforesaid benefits of the right of priority provided by the International Convention for the Protection of Industrial  
Property, as amended, or by any convention which may henceforth be substituted for it.

I covenant with THOMSON LICENSING S.A., its successors, assigns, legal representatives, and nominees, that to the best of my knowledge the right, title and  
interest herein conveyed by me are free and clear of any encumbrance, and that I have full right to convey the same as herein expressed.

Signed at	<u>Indianapolis, IN</u>	Date	<u>10/10/2000</u>
Inventor (1)	<u>AHMET MURSIT ESKICIOGLU</u> (Type or Print)	<u>Ahmet Mursit Eskicioğlu</u> (Signature in Full. No initials.)	
Post Office Address	<u>8235 Lakeshore Trail #125, Indianapolis, Indiana 46250 USA</u>		
1st Witness	<u>KUMAR RAMASWAMY</u> (Type or Print)	<u>Kumar Ramaswamy</u> (Signature in Full. No initials.)	
2nd Witness	<u>Kathy Lynn Graves</u> (Type or Print)	<u>Kathy Lynn Graves</u> (Signature in Full. No initials.)	
Signed at		Date	
Inventor (2)	<u>MEHMET KEMAL OZKAN</u> (Type or Print)	<u>(Signature in Full. No initials.)</u>	
Post Office Address	<u>Savasci Sok. Bozokatt 19/1, Avcilar 34840, Istanbul, Turkey</u>		
1st Witness	<u>(Type or Print)</u>	<u>(Signature in Full. No initials.)</u>	
2nd Witness	<u>(Type or Print)</u>	<u>(Signature in Full. No initials.)</u>	
Signed at	<u>Indianapolis</u>	Date	<u>Oct 10, 2000</u>
Inventor (3)	<u>BILLY WESLEY BEYERS JR.</u> (Type or Print)	<u>Billy Wesley Beyers Jr.</u> (Signature in Full. No initials.)	
Post Office Address	<u>1075 Arrow Wood Drive, Carmel, Indiana 46033 USA</u>		
1st Witness	<u>Kathy Lynn Graves</u> (Type or Print)	<u>Kathy Lynn Graves</u> (Signature in Full. No initials.)	
2nd Witness	<u>IZZAT HEKMAT IZZAT</u> (Type or Print)	<u>izzat hekmat izzat</u> (Signature in Full. No initials.)	

After this Assignment has been recorded please RETURN to: Patent Operations

THOMSON multimedia Licensing Inc.  
PO Box 5312  
Princeton, NJ 08543-5312

## COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER

RCA 88783

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CONDITIONAL ACCESS SYSTEM FOR DIGITAL RECEIVERS

the specification of which (check only one item below):

☐ is attached hereto.

☐ was filed as United States application

Serial No. \_\_\_\_\_

on \_\_\_\_\_,

and was amended

on \_\_\_\_\_ (if applicable).

☒ was filed as PCT international application

Number PCT/US98/26069

on 09 December 1998,

and was amended under PCT Article ~~19~~ 34

on December 9, 1999 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

## PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

U.S. APPLICATIONS		STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
60/069,063	December 10, 1997			
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)		
P/US98/26069	09December1998 (09.12.98)			

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Joseph S. Tripoli	- Reg. No. 26,040
Joseph J. Laks	- Reg. No. 27,914
David T. Shoneman	- Reg. No. 39,371

and Correspondence to:

Mr. Joseph S. Tripoli - Patent Operations  
 THOMSON multimedia Licensing Inc.  
 P.O. Box 5312  
 Princeton, New Jersey 08540 US

Direct Telephone Calls to:  
 (name and telephone number)

1-609-734-9875

FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	ESKICIOGLU	Ahmet	Mursit
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	Indianapolis	Indiana	TR
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
	8235 Lakeshore Trail #125	Indianapolis	Indiana 46250 US
FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	OZKAN	Mehmet	Kemal
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	Avcilar	Turkey	TR
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
	Savasci Sok. Bozokatt 19/1	Avcilar	Istanbul 34840, Turkey
FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	BEYERS JR.	Billy	Wesley
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	Carmel	Indiana	US
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
	1075 Arrow Wood Drive	Carmel	Indiana 46033 US

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
Ahmet Mursit Eskicioğlu	Mehmet Kemal Ozkan	Billy Wesley Beyers Jr.
DATE	DATE	DATE
10/10/2000	2000	2000

09581064 100702

PCT/US98/26069  
Serial No. 09/581,064

RCA 88783

**EXHIBIT C**

**Fornarotto, Davida (CORP, GERLMO)**

---

**From:** Fornarotto, Davida (CORP, GERLMO)  
**Sent:** Thursday, March 4, 1999 2:56 PM  
**To:** 'mehmet.ozkan@do.net.tr'  
**Subject:** Your Correct Home Address

Dear Mr. Ozkan:

We are going to file three applications of yours via the PCT and would like to send forms to you for your signature.

The address that I have for you is as follows:

Idealtepe Mah. Aydin Sok.  
Serdaroglu Apt 10/14  
Maltepe 81580 Istanbul  
Turkey

Would you please reply back and let me know if this is your correct home address. If it is not, please let me know what your correct address is and also a phone number so we may be able to get in touch with you.

Thank you for your help in this matter.

Ms. Davida Fornarotto  
Paralegal  
Thomson multimedia Licensing Inc.

**Fornarotto, Davida (CORP, GERLMO)**

---

**From:** Mehmet Ozkan  
**Sent:** Friday, March 5, 1999 2:42 AM  
**To:** Fornarotto, Davida (CORP, GERLMO)  
**Subject:** Re: Your Correct Home Address

Ms. Davida Fornarotto,  
the address is correct

Idealtepe Mah. Aydin Sok.  
Serdaroglu Apt 10/14  
Maltepe 81580 Istanbul  
Turkey

in addition my phone numbers are:  
home: (90) 216 489 6177  
work: (90) 212 215 5163  
GSM (90) 532 644 5370

*E-mail mehmet.ozkan@do.net.tr*

To expedite the process and make sure timely delivery, I would appreciate if you could include DHL return slip or account that can be used from TURKEY. The number you usually include is only valid for the US and does not work from here

Regards

Mehmet Ozkan

-----Original Message-----

From: Fornarotto, Davida (CORP, GERLMO) <davida.fornarotto@corporate.ge.com>  
To: 'mehmet.ozkan@do.net.tr' <mehmet.ozkan@do.net.tr>  
Date: Thursday, March 04, 1999 9:59 PM  
Subject: Your Correct Home Address

>Dear Mr. Ozkan:

>

>We are going to file three applications of yours via the PCT and would like  
>to send forms to you for your signature.

>

>The address that I have for you is as follows:

>

>Idealtepe Mah. Aydin Sok.

>Serdaroglu Apt 10/14

>Maltepe 81580 Istanbul

>Turkey

>

>Would you please reply back and let me know if this is your correct home  
>address. If it is not, please let me know what your correct address is and  
>also a phone number so we  
>may be able to get in touch with you.

>







**Shipment Airwaybill** PPF  
1-800-CALL-DHL (No. 1-800-234-5349) PPF  
WEB ADDRESS: <http://www.dhl.com>

8879654810531054

Quote this shipment number in

ORIGIN: 100257  
DESTINATION: 257  
TTN: 257

**1 From (Shipper)**

Account no. 781023733  
Shipper's reference 88914, 802 89399 89400

Company name  
THOMSON MULTIMEDIA LICENSING

Shipper's name  
Ms. Davida Fornarotto

Address  
2 INDEPENDENCE WAY  
PRINCETON NJ

Zip code (required) 085406620  
Phone/Fax/E-mail circle one (required) (609) 734-9400

**2 To (Recipient)**

Company name  
Attention Mr. Mehmet Kemal Ozkan  
Delivery address  
Idealtepe Mah. Aydin Sok.  
Serdaroglu Apt 10/14  
Maltepe 81580 Istanbul  
Turkey

Zip/Postcode (required)  
Phone/Fax/E-mail circle one (required)

**5 Shipper's authorization and signature**

We agree that DHL's standard terms apply to this shipment and limit DHL's liability for loss or damage to U.S. \$ 100. The Warsaw Convention may also apply (see reverse). We authorize DHL to complete other documents necessary to export this shipment. We understand that insurance is available on request for an extra charge. We agree to pay all charges if the recipient or third party does not pay. We understand that DHL DOES NOT TRANSPORT CASH.

Signature (required) N. Fornarotto  
Date 3.5.99

**3 Shipment details**

**Domestic Services**  
☐ USA OVERNIGHT  
**International Services**  
☒ INT'L DOCUMENT EXPRESS  
☐ WORLDWIDE PRIORITY EXPRESS  
☐ WORLDFREIGHT  
☐ APM 2nd class Other  
**Special Services extra charges may apply**  
☐ SATURDAY DELIVERY  
☐ POD  
☐ OTHER  
**Payment Options not all options available to all countries**  
☒ Shipper's account  
☐ Recipient  
☐ Third party  
**Acct. No.**  
☐ Cash / Check / Credit Card  
**No.**  
**Expires.**  
**Shipment Insurance**  
**U.S. \$**  
**Insured value**

**Full description of contents**

BUSINESS DOCUMENTS

**International non document shipments only**  
Attach original and four copies of a Commercial Invoice  
Declared value for customs (In US \$) Export license No./Symbol (if applicable)

Harmonized Sched. B No. (if applicable) Type of export  
☐ Permanent  
☐ Temporary  
☐ Repair/Return

Shipper's EIN/SSN  
These commodities, technology or software were exported from the United States in accordance with the export administration regulations. Diversion contrary to U.S. law prohibited.

Destination duties/taxes If left blank recipient pays duties/taxes  
☐ Recipient  
☐ Shipper  
☐ Other

**4 Pcs/Weight/Size**

No. of pieces  
Weight if DHL Express Document packaging is used, enter XD  
Dimensions in inches  
Pcs length width height

**DIMENSIONAL/CHARGED WEIGHT**

**CODES**  
**CHARGES**  
Services  
Special services  
Insurance

Drop Box/ Exp. Center  
#  
TOTAL

TRANSPORT COLLECT STICKER No.

PICKED UP BY  
Time  
Date



# Shipment Airwaybill

1-800-CALL-DHL (Non-emergency)  
WEB ADDRESS: <http://www.dhl.com>

PPF  
PPF

88796548531064

Quote this shipment number in

ORIGIN TTN	DESTINATION 100121
---------------	-----------------------

## 1 From (Shipper)

Account no. 781023737  
Shipper's reference 88914,  
802 89399 89400

Company name  
THOMSON MULTIMEDIA LICENSING

Shipper's name  
Ms. Davida Fornarotto

Address  
2 INDEPENDENCE WAY  
PRINCETON NJ

Zip code (required) 085405620  
Phone/Fax/E-mail circle one (required) (609) 734-9400

## 2 To (Recipient)

Company name  
Attention  
Mr. Mehmet Kemal Ozkan

Delivery address  
Idealtepe Mah. Aydin Sok.  
Serdaroglu Apt 10/14  
Maltepe 81580 Istanbul  
Turkey

Zip/Postcode (required)  
Phone/Fax/E-mail circle one (required)

## 3 Shipper's authorization and signature

I/we agree that DHL's standard terms apply to this shipment and limit DHL's liability for loss or damage to U.S. \$ 100. The Warsaw Convention may also apply (see reverse). I/we authorize DHL to complete other documents necessary to export this shipment. I/we understand that insurance is available on request, for an extra charge. I/we agree to pay all charges if the recipient or third party does not pay. I/we understand that DHL DOES NOT TRANSPORT CASH.

Signature (required) D. Fornarotto  
Date 3.5.99

## 3 Shipment details

Domestic Services  
☐ USA OVERNIGHT  
International Services  
☒ INT'L DOCUMENT EXPRESS  
☐ WORLDWIDE PRIORITY EXPRESS  
Non document shipments / unlimited weight  
☐ WORLDFREIGHT  
Prior arrangements required / 220 lbs. Minimum  
WorldMail Services ☐ 1st class  
☐ APM ☐ 2nd class ☐ Other  
Special Services extra charges may apply  
☐ SATURDAY DELIVERY  
☐ POD  
Shipper's favor mail for POD (optional)  
☐ OTHER specify

Payment Options not all options available to all countries

☐ Shipper's account  
☐ Recipient ☐ Third party  
Acct. No. . . . .  
☐ Cash / Check / Credit Card  
circle one  
No. . . . .  
Expires. . . . . Type. . . . .  
Shipment insurance If desired, enter amount below  
U.S. \$ . . . . . Insured value

Full description of contents

BUSINESS DOCUMENTS

International non document shipments only

Attach original and four copies of a Commercial Invoice

Declared value for customs (In US \$). Export license No./Symbol (if applicable)

Harmonized Sched. B No. (if applicable)

Type of export If left blank, Permanent is assumed  
☐ Permanent  
☐ Temporary ☐ Repair/Return

Shipper's EIN/SSN

These commodities, technology or software were exported from the United States in accordance with the export administration regulations. Diversion contrary to U.S. law prohibited.

Destination duties/taxes If left blank recipient pays duties/taxes

☐ Recipient ☐ Shipper ☐ Other  
Specify destination approved account number

## 4 Pcs/Weight/Size

No. of pieces

Weight if DHL Express Document packaging is used, enter XD

Dimensions in inches

Pieces length width height

DIMENSIONAL/CHARGED WEIGHT

CODES CHARGES Services

Special services

Insurance

Drop Box/ Exp. Center

#

TOTAL

TRANSPORT COLLECT STICKER No.

PICKED UP BY

Time 15:17  
Date 3/5/99

DAVIDA P. FORNAROTTO  
Paralegal/Administrative Assistant  
Davida.Fornarotto@corporate.ge.com

Two Independence Way, Princeton, NJ 08540  
Mailing Address: PO Box 5312, Princeton, NJ 08543-2023  
Phone: 609-734-9597, Fax: 609-734-9700

March 5, 1999

VIA COURIER

Mr. Mehmet Kemal Ozkan  
Idealtepe Mah. Aydin Sok.  
Serdaroglu Apt 10/14  
Maltepe 81580 Istanbul, Turkey

Re: RCA 88914, RCA 89399 and RCA 89400  
Forms To Be Signed

Dear Mr. Ozkan:

Thank you so much for your E-mail response concerning your address. Enclosed please find a PCT Power of Attorney form and a PCT Assignment form for each of the above applications, which require your signature so that we can file these cases via the PCT.

Before you sign these forms, please look over the attached copies of the above applications. These are the applications as filed via the PCT.

Please sign and date these forms with your FULL NAME where indicated, as per the post-it notes attached. NO NOTARIZATION IS REQUIRED on these forms. However, on the Assignment forms your signature must be witnessed by two witnesses.

Please change your address directly on the Assignment forms and place your initials next to each change.

I have enclosed a DHL label, as you requested. I hope this helps you in returning the forms to me.

If you have any questions, please do not hesitate to contact me at 609-734-9597. Thank you for your help in this matter.

Very truly yours,

*Davida*

Ms. Davida Fornarotto  
df  
Enc.

*reminder sent by  
E-mail 3-24-99*

PCT/US98/26069  
Serial No. 09/581,064

09581064 100702

RCA 88783

**EXHIBIT D**

**Fornarotto, Davida (CORP, GERLMO)**

---

**From:** Mehmet Ozkan  
**Sent:** Thursday, March 25, 1999 2:36 AM  
**To:** Fornarotto, Davida (CORP, GERLMO)  
**Subject:** Re: RCA 88914, RCA 89399 and RCA 89400 forms

Ms. Davida Fornarotto,

I did receive the applications and will be sending them to you very soon

regards

Mehmet Ozkan

-----Original Message-----

**From:** Fornarotto, Davida (CORP, GERLMO) <davida.fornarotto@corporate.ge.com>  
**To:** 'mehmet.ozkan@do.net.tr' <mehmet.ozkan@do.net.tr>  
**Date:** Wednesday, March 24, 1999 8:22 PM  
**Subject:** RCA 88914, RCA 89399 and RCA 89400 forms

>Dear Mr. Ozkan:

>

>This is further to my letter dated March 5, 1999 in which I enclosed forms  
>for each of the above applications which required your signature.

>

>Would you please reply by return e-mail as to whether you received the  
above

>letter and forms and as to whether you will be able to send them back to me  
>immediately.

>

>Thank you for your help in this matter.

>

>

>Ms. Davida Fornarotto

**Fornarotto, Davida (CORP, GERLMO)**

---

**From:** Fornarotto, Davida (CORP, GERLMO)  
**Sent:** Wednesday, March 31, 1999 9:36 AM  
**To:** 'mehmet.ozkan@do.net.tr'  
**Subject:** Forms for RCA 88914, RCA 89399 and RCA 89400

Dear Mr. Ozkan:

I am sorry to bother you again about these forms.

Would you please return these forms as soon as possible as I have a due date to submit them to the Patent Office by April 12, 1999.

Please let me know if you have already sent them or when you will be sending them.

Thank you for your help.

Davida Fornarotto

**Fornarotto, Davida (CORP, GERLMO)**

---

**From:** Mehmet Ozkan  
**Sent:** Monday, April 5, 1999 4:42 AM  
**To:** Fornarotto, Davida (CORP, GERLMO)  
**Subject:** Re: Forms for RCA 88914, RCA 89399 and RCA 89400

Ms. Fornarotto,

Since I could not use the DHL Airwaybill you included from Turkey (they said they needed a different International number), I am sending the documents with someone travelling to US tomorrow, and he will be sending the documents from there.

I hope this will not be a problem for the application dead-line

Regards

Mehmet Ozkan

-----Original Message-----

**From:** Fornarotto, Davida (CORP, GERLMO) <davida.fornarotto@corporate.ge.com>  
**To:** 'mehmet.ozkan@do.net.tr' <mehmet.ozkan@do.net.tr>  
**Date:** Wednesday, March 31, 1999 5:42 PM  
**Subject:** Forms for RCA 88914, RCA 89399 and RCA 89400

>Dear Mr. Ozkan:

>

>I am sorry to bother you again about these forms.

>

>Would you please return these forms as soon as possible as I have a due date

>to submit them to the Patent Office by April 12, 1999.

>

>Please let me know if you have already sent them or when you will be sending

>them.

>

>Thank you for your help.

>

>Davida Fornarotto

PCT/US98/26069  
Serial No. 09/581,064

09581064 100702

RCA 88783

**EXHIBIT E**



April 6, 2000



Thomson Multimedia  
Attention: Davida Fornarotto  
2 Independence Way  
Princeton, New Jersey 08540  
Fax #: 609-734-9700

Re:

Airwaybill:	7786866555
Date Shipped:	November 12, 1999
Shipper:	Thomson Multimedia
Consignee:	Mr. Mehmet Kamal Ozkan
City, State, Zip:	Istanbul
Country:	Turkey

Dear Davida Fornarotto:

In response to your inquiry concerning the above referenced shipment, DHL Worldwide Express has traced this shipment through our shipping cycle and has ascertained the following:

This shipment was undeliverable due to the recipient was unknown at the address listed on the airwaybill. Our DHL office in Turkey could not contact Mr. Ozkan because there was no telephone listed. The shipper requested to have the shipment returned. On November 18, 1999 this shipment was returned under airwaybill number 6045724775.

DHL sincerely regrets any inconvenience that may have resulted with regards to this shipment. We value our relationship with our customers and hope you will allow us to continue providing services to your company.

Sincerely,

Shaniqua Pritchett  
Service Inquiry Representative  
1-800-225-5345, Ext. 1637

248

DHL Worldwide Express  
1900 W. University Dr.  
Tempe, AZ 85281  
(602) 921-8831

PCT/US98/26069  
Serial No. 09/581,064

09/581,064

RCA 88783

**EXHIBIT F**

Mehmet.Ozkan@kanakd.com.tr  
Forms to be Signed  
Mehmet

November 22, 1999

Dear Mr. Ozkan:

I have some forms that require your signature.

Could you please advise me, BY RETURN E-MAIL, whether the following address is your correct, present address and if I can mail the forms to you there:

Yaklar Caddesi No.: 17  
Cidiyekoy 80290  
Istanbul, Turkey

e-mail is: fomarottod@tce.com

Thank you for your help.

David Fomarotto

4

PCT/US98/26069  
Serial No. 09/581,064

0951064 100702

RCA 88783

**EXHIBIT G**

Lagoni Bill  
RE: Mehmet Ozkan

No. I sent an e-mail to him on November 22nd and have not heard from him.

Thank you for checking on me. I was going to contact you today to see what I can do now. I don't want to send the forms to him unless I hear from him first.

The date that the cases have to be filed by is January 10, 2000. I am sending the cases out now and the forms will have to follow.

Thanks

David:

-----Original Message-----

From: Lagoni Bill  
Sent: Wednesday, December 01, 1999 8:51 AM  
To: Fornarotto David (Princeton)  
Subject: RE: Mehmet Ozkan

Were you successful?

-----Original Message-----

From: Lagoni Bill  
Sent: Monday, November 22, 1999 3:37 PM  
To: Fornarotto David (Princeton)  
Subject: FW: Mehmet Ozkan

David:

This e-mail worked successfully shortly after the first earthquake, so hopefully is still good. Note the attached includes his e-mail address, business address and business phone.

WAL

-----Original Message-----

From: Hall Susan (Tech Library Indy)  
Sent: Monday, November 22, 1999 3:31 PM  
To: Lagoni Bill  
Subject: FW: Mehmet Ozkan

<< File: Mehmet Ozkan.vcf >>

3

Mehmet Ozkan  
Ozkan  
Mehmet

7 Kithara Street, Bey  
S.A.

Address:

Ortaklar Caddesi No: 17  
Mecidiyekoy 80290  
Istanbul-Turkey

Business:  
Business 2:  
Business Fax:

(+90-212) 215 51 11  
(+90-212) 215 51 63  
(+90-212) 215 51 72

E-mail:

mehmet.ozkan@kanald.com.tr

09/581,064 - 100702

PCT/US98/26069  
Serial No. 09/581,064

RCA 88783

**EXHIBIT H**

Lagoni Bill  
Mehmet Ozkan

December 3, 1999

still have not heard from Mr. Ozkan. What can I do now?

avida

5



Subject: Lagoni: Bill  
Saturday, December 04, 1999 1:37 PM  
Fomarotto Davida (Princeton)  
RE: Mehmet Ozkan

I don't know. I sent a message to the e-mail address I gave you and marked it for confirmation of receipt and confirmation being read, and got no response from either. I don't have any other ideas.

Original Message  
From: Fomarotto Davida (Princeton)  
Sent: Friday, December 03, 1999 4:57 PM  
To: Lagoni: Bill  
Subject: Mehmet Ozkan

December 3, 1999

I have not heard from Mr. Ozkan. What can I do now?

David

6

09581064 100702

PCT/US98/26069  
Serial No. 09/581,064

RCA 88783

**EXHIBIT I**

Lagoni B.  
Mehmet Kemal Ozkan

subject:

December 7, 1999

message

Further to your response to my e-mail, I still have not heard from Mr. Ozkan.

I spoke to Mr. Krittman, and we will have to file a Petition under 37C.F.R.1.47(a) in the US (and any other countries that require forms to be signed) stating the process that we used to try to find Mr. Ozkan.

Thank you for your help.

David

7

Lagoni Bill  
Tuesday, December 07, 1999 4:07 PM  
Fornarotto Davida (Princeton)  
RE: Mehmet Kemal Ozkan

**ct:**

is for the information about what is involved. I twice sent e-mails to the address I gave you and marked them for information of delivery as well as being read; they have repeatedly been returned as undeliverable.

**Original Message—**

Final Message  
Fornarotto Davida (Princeton)  
Tuesday, December 07, 1999 3:29 PM  
Lagoni Bill  
Mehmet Kemal Ozkan

**September 7, 1999**

er to your response to my e-mail, I still have not heard from Mr. Ozkan.

ce to Mr. Kritzman, and we will have to file a Petition under 37C.F.R.1.47(a) in the US (and any other countries that re forms to be signed) stating the process that we used to try to find Mr. Ozkan.

**Thank you for your help.**

1a

can not locate

7 + 8

09581064 110712

PCT/US98/26069  
Serial No. 09/581,064

RCA 88783

**EXHIBIT J**

**Fornarotto Davida (Princeton)**

---

**To:** mehmet.ozkan@do.net.tr  
**Subject:** RCA 88914, 89399 and 89400 Forms to be signed

July 21, 2000

Dear Mr. Ozkan:

This is to advise you that we have some forms for the above applications that require your signature.

Would you please contact me by return e-mail and let me know your present home address, phone number, and any other information concerning where you are presently located.

We have been trying to locate you since April 1999.

Thank you for your help.

Davida Fornarotto  
Thomson multimedia Licensing Inc.  
2 Independence Way  
Princeton, New Jersey 08540 USA

Phone: 609-734-9597

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☒ **BLACK BORDERS**
- ☒ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☒ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☒ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**